

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:13-CR-00084-KDB-DSC

USA

v.

KERSTON DESHAWN EDWARDS

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ORDER

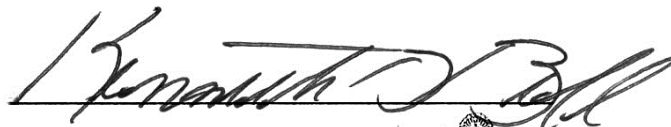
THIS MATTER is before the Court upon motion of the defendant *pro se* for a reduction of sentence based on the First Step Act of 2018. (Doc. No. 49).

The defendant pled guilty to possessing with intent to distribute cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a) and (b)(1)(B). (Doc. No. 25: Plea Agreement at 2). Section 404(c) of the First Step Act specifies that a court “shall not entertain” a reduction motion where the sentence was imposed in accordance with the Fair Sentencing Act of 2010. Here, the defendant was sentenced on October 28, 2014, (Doc. No. 35: Judgment at 1), well after the effective date of the Fair Sentencing Act. Therefore, he is not eligible for a sentence reduction under the First Step Act.

IT IS, THEREFORE, ORDERED that the defendant’s motion, (Doc. No. 49), is **DENIED**.

SO ORDERED.

Signed: July 18, 2022



Kenneth D. Bell
United States District Judge

